

**MINUTES OF A MEETING
OF THE EXECUTIVE
HELD AT NELSON TOWN HALL
ON 21st SEPTEMBER, 2023**

PRESENT –

Councillor A. Mahmood (Chair)

Councillors

*Z. Ali
M. Ammer
M. Hanif
D. Lord
D. Whipp
T. Whipp*

Also in attendance:

Councillor A. Sutcliffe

Officers in attendance

<i>Rose Rouse</i>	<i>Chief Executive</i>
<i>Philip Spurr</i>	<i>Director of Place</i>
<i>Richard Gibson</i>	<i>Director of Resources</i>
<i>Howard Culshaw</i>	<i>Head of Legal and Democratic Services</i>
<i>Neil Watson</i>	<i>Assistant Director Planning, Building Control and Regulatory Services</i>
<i>David Walker</i>	<i>Assistant Director Operational Services</i>
<i>Iftikhar Bokhari</i>	<i>Head of Economic Growth</i>
<i>Ryan Gifford</i>	<i>Economic Development Officer</i>
<i>Jane Watson</i>	<i>Democratic Services Manager</i>

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The following people attended the meeting and spoke on the item indicated:

<i>Kerry Ann Parsons</i>	<i>Land and garage site at Essex Street/Colne Lane,</i>	<i>Minute No. 58(a)</i>
<i>Mark Salisbury</i>	<i>Colne</i>	

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47. DECLARATIONS OF INTEREST

Members were reminded of the legal requirements concerning the declaration of interests.

48. PUBLIC QUESTION TIME

There were no questions from members of the public.

49.

MINUTES

RESOLVED

That the Minutes of the meeting held on 27th July, 2023 be approved as a correct record and signed by the Chair.

50.

CORPORATE PLAN 2023/27

The Director of Resources submitted the Corporate Plan for 2023/27 for consideration.

The Plan set out the Council's goals for the future with milestones for each year. The progress would be monitored through the performance management framework. The Plan had been split into four priorities:

Proud and Connected Communities and Places
Good Growth
Healthy Communities
Modern and Responsive Organisation

RECOMMENDATION

That Council be recommended to approve the Corporate Plan for 2023/2027.

REASON

To ensure that we retain focus on our priorities and deliver good quality, accessible services.

51.

PROCUREMENT OF IT SOLUTION FOR WASTE SERVICES

The Assistant Director Operational Services submitted a report which provided a summary of the recommendations made by Castelrigg Consultants following the review of Waste Services in July 2022.

The recommendations identified the need for the introduction of new technology, and these were set out in the report. The updating of back-office solutions linked with the introduction of in-cab systems would improve service delivery, strengthen business continuity arrangements, and increase the speed of communication between the customer and the service resulting in a reduction in the cost of the service and a reduction in the services impact on the environment through reduced fuel usage and a lower reliance on paper to communicate with frontline teams.

Investigations had been ongoing to find a provider to improve service delivery and it was reported that the initial introduction costs for the solution was likely to exceed £100,000. No funding had been set aside for the introduction of this new technology. However, once developed and installed, savings could be made, and these were set out in the report.

RESOLVED

(1) That the report be noted.

- (2) That the Assistant Director Operational Services be authorised to create tender documentation for the procurement of software and hardware solutions.
- (3) That funding of approximately £108,000 be set aside to cover the procurement and introduction of the chosen IT system.
- (4) That the annual savings based against fuel expenditure in 2022/23 be ringfenced to Waste Services to provide ongoing funding to cover annual management fees and updates of the selected system.

REASON

To improve service delivery, increase communication speeds between customer and frontline and strengthen business continuity arrangements in order for the service to be in a stronger position to react to national issues such as driver shortages and high rates of staff absences.

52. QUARTER 1 – REVENUE AND CAPITAL BUDGET MONITORING 2023/24

The Director of Resources submitted a report on the Quarter 1 position with the revenue and capital budgets for 2023/24.

Details of budget pressures and risk areas were highlighted in the report.

It was reported that the 2023/24 Capital Budget had been increased from £25.906m to £27.996m and this was mainly due to two changes:

- (a) The Colne LUF Scheme had been increased to reflect the latest expenditure forecast for 2023/24. The total scheme cost for the market hall was £4.762m which included a capital receipt from the sale of the accommodation above the market hall. Any shortfall in the receipt could affect the future viability of the programme.
- (b) The Vehicle Replacement Programme had been increased to bring back the slippage from 2022/23 and to reflect the service needs for 2023/24.

RESOLVED

- (1) That the Quarter 1 position on the Council's Revenue Budget for 2023/24 be noted.
- (2) That the decision to remain in the Lancashire Business Rates Pool for 2023/24 be noted.
- (3) That the Quarter 1 position on the Council's Capital programme for 2023/24 be noted.
- (4) That the changes to the 2023/24 Capital Programme, as detailed in the report, be noted and referred to Council for consideration.
- (5) That a supplementary revenue estimate for £56,965, to be funded from reserves, be approved in relation to works required as part of the Leisure Review.

REASON

To inform the Executive of the Council's Quarter 1 position for revenue and capital budgets for 2023/24.

52.

COLNE MARKET HALL

The Director of Place submitted a report which provided an update on the remodelling of Colne Market Hall and sought approval to proceed with the development.

Following extensive consultation with traders, stakeholders and the public proposals for the remodelling of the Market Hall had been refined and a planning application submitted.

It was reported that PEARL Together had confirmed that the nature of the scheme to remodel the flats did not fit with their plans for the expansion in their stock. Therefore, PEARL Together could no longer be the delivery vehicle for the project and with the agreement of both PEARL Together and PEARL2 Boards, PEARL2 would be the delivery vehicle.

This approach maintained what was outlined in the LUF bid and formal approval of the final proposals and delivery mechanism would now be sought from the Department for Levelling Up, Housing and Communities.

It was proposed that the Director of Place would supervise the timely delivery of the project to satisfy LUF timelines within the cost envelope through implementing management of the PEARL2's delivery of the project through the employed and sub-contract regeneration team.

A specialist consultant in the operation of Markets was in the process of being appointed to help design the layout and operation of the market.

RESOLVED

- (1) That the update on the design and planning process be noted.
- (2) That it be noted that a further report would be submitted regarding tenure options for the housing element of the scheme and the switch of delivery vehicle from PEARL Together to PEARL 2.
- (3) That delegated authority be granted to the Director of Place to proceed with the transfer of requisite levels of Levelling Up (LUF) funding into PEARL 2 to allow for delivery of the scheme and to supervise the project management of the scheme by the employed and sub-contract regeneration team, ensuring suitable controls on time and budget parameters are in place.

REASONS

- (1) ***For information and to inform decisions.***
- (2) ***To allow for delivery of the scheme through a PEARL Joint Venture, in line with original decisions and mitigate the withdrawal of Together Housing from the project.***
- (3) ***To allow for the remodelling of the Market Hall to proceed within the timescales and budget of the Levelling Up Funding set by the Department for Levelling Up, Housing and Communities (DLUHC).***

53.

**NELSON TOWN DEAL
REPORT AND REVIEW OF THE BUSINESS RESILIENCE AND
GROWTH PROGRAMME**

The Director Place submitted a report on the progress of the Nelson Town Deal – Business Resilience and Growth Programme along with an option to review the parameters of the scheme.

To help increase the pool of eligible businesses for the scheme and allow for the identification of further applications, it was proposed that the manufacturing criteria be removed, and grants be available to all sectors within the same geographic area of the scheme.

A second consideration for encouraging take up would be to reconsider the previously proposed Buffer Zone whereby businesses within 0.5 mile of the official boundary become eligible. At its meeting on 1st September 2023 the Nelson Town Deal Board approved the introduction of this Buffer Zone and approval was therefore sought to introduce this zone in addition to the extension of this scheme to all sectors of the business community. However, during discussion there was a differing of opinion with Members regarding this extension.

RESOLVED

- (1) That the criteria of the scheme be amended to include all sectors of the business community.
- (2) That the Buffer Zone not be extended at this time.

REASON

To encourage the continued, take up of grants throughout the life of the programme.

54.

**UK SHARED PROSPERITY FUND (UKSPF)
PEOPLE AND SKILLS AND BUSINESS GRANTS**

The Head of Economic Growth submitted a report which sought a decision on the allocation of the UKSPF funding to the People and Skills Interventions E33, E34 and E35 in Year 3 of the Programme (2024/25); the allocation of UKSPF funding to the People and Skills Intervention E37 in Year 3 of the Programme (2024/25); the reallocation of the capital allocation within E37 to E1 (public realm); and for a scheme of grant funding for businesses to be undertaken as per the requirements of the E19 Intervention and the funding allocated within it.

RESOLVED

- (1) That the funding within the UKSPF Programme for E33, 34 and 35 be allocated to projects by Active Lancashire and Newground Together.
- (2) That the funding within the UKSPF Programme for E37 be allocated to a project by the University of Central Lancashire.
- (3) That the capital allocation of E37 be moved into Intervention E1 in order to benefit the public realm schemes.

- (4) That the introduction of a business grant scheme, to be delivered by Pendle Council, which would meet the requirements of the E19 Intervention be approved and delegated authority be granted to the Director of Place, in consultation with the Leader of the Council, in adjusting the grant intervention level and grant amounts, as required to incentivise applications to come forwards and achieve spend of funds within required timescales.

REASON FOR DECISION

In order to ensure that the UKSPF funding in these Interventions was fully utilised and the programme was able to continue in its delivery for Pendle.

55. CONSULTATION ON PLANNING REFORMS

The Planning, Building Control and Regulatory Services Manager submitted a report on the proposed planning reforms along with a formal response from the Council for consideration.

The consultation would affect both development management and the development of planning policy. The main aspects of the changes proposed and the implications that it may have on Pendle, were set out in the report along with a full suggested response at Appendix 1. The deadline to respond was 18th October, 2023.

It was noted that, overall, the proposals sought to streamline the plan making process which was to be welcomed. However, there were concerns over the distinct lack of any detail over how this would be achieved and much of the technology that would underpin it had not been developed or tested. It was proposed that the new plan making process would start in Autumn 2024.

RESOLVED

That the response as set out in Appendix 1 attached to the report, be agreed.

REASON FOR DECISION

To contribute to national policy development that would affect the Borough.

56. LAND AT REGENT STREET, COLNE

The Director Place submitted a report recommending that land shown edged black on the plan attached to the report be declared surplus to requirements following receipt of a request to purchase from the adjoining owner.

RESOLVED

- (1) That the land, edged black on the plan attached to the report, be declared surplus to requirements in order for it to be sold, and that the Director of Place be authorised to negotiate terms of a freehold or long leasehold sale to the adjoining owner.
- (2) That if the land is to be disposed of on a long leasehold, that it be sold with a restrictive covenant limiting its use as car parking for the adjoining commercial unit.
- (3) That Area Committee be consulted on land disposals proposed by the Council.

REASON FOR DECISION

A sale of the land would result in a capital receipt for the Council and an end to all liabilities.

57.

TENDERS

The Director of Resources submitted, for information, a report on tenders which had been received and accepted.

58.

MATTERS REFERRED FROM AREA COMMITTEES

(a) Land and garage site at Essex Street/Colne Lane, Colne

On 6th July 2023 Colne and District Committee considered a report from the Director of Place which provided details on the history of this site; advised on the response to the request for an urgent inspection of the garage site; and the outcome of that inspection.

The Committee resolved “that the preferred option was to demolish the garage structure/grub up concrete slabs, import topsoil, re-grade into existing banking and grass seed, at an estimated cost of £14,415 (plus VAT).

The Committee also resolved “that the Executive be requested to approve a supplementary estimate to secure and clear the site.”

The Director of Resources, in their role as Section 151 Officer, advised that the Council had limited reserves to make additional funding over and above the budgets already agreed for Area Committees.

RESOLVED

That the removal of the garage structures be agreed but the concrete slabs be retained.

REASON FOR DECISION

To remove the danger and in the interests of public safety.

(b) Area Committee Budget 2023/24

At a meeting of the Nelson, Brierfield and Reedley Committee on 31st July 2023 it was resolved “that the Executive be requested to agree the reinstatement of the Committee’s Budget allocation of £78,270 for 2023/24.”

The Director of Resources, in their role as Section 151 Officer advised that the Nelson, Brierfield and Reedley Committee held a significant budget slippage of £197,340 which was placing stress on the Council’s reserves. In order to limit the long-term impact of this, whilst allowing the Committee to bring forward its outstanding items, the Director of Resources suggested that the Area Committee limit its spend to the actual budget of £78,270 or, if it exceeded this to use future years budgets.

Executive (21.09.2023)

The Council had limited reserves to make additional funding over and above the budgets already agreed for the Area Committees.

RESOLVED

That a supplementary estimate of £119,070 be approved to reinstate Nelson, Brierfield and Reedley Committee's budget for 2023/24.

REASON FOR DECISION

In response to a request from the Area Committee.

The Monitoring Officer advises that the resolution above has the effect of being a recommendation to Council because it is a decision not wholly in accordance with the budget and is therefore a Council function as provided by Articles 4 and 14.03(a). The decision is, also, not in accordance with the policy framework of the Council, in that a policy regarding Area Committee carry forwards has been previously agreed.

59.

FORWARD PLAN

The Executive's Work Programme and Forward Plan of key decisions for the four-month period commencing 1st October 2023 was submitted for information.

60.

EXCLUSION OF PUBLIC AND PRESS

Members agreed to exclude the public and press from the meeting during the following item of business in pursuance of the power contained in Section 100(A) (4) of the Local Government Act, 1972 as amended, in relation to exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

61.

LIBERATA CONTRACT UPDATE

The Director of Resources submitted a report which provided an update on the Liberata Contract Review with recommendations for Council to consider on 28th September, 2023.

RECOMMENDED

- (1) That the report be noted.
- (2) That Council be recommended to authorise that negotiations continue.

REASON

To progress with the Liberata Contract Review.

Chair _____